REMARKS

The Applicant thanks the Examiner for the telephone interview conducted on November 29, 2007 during which was discussed the distinction between the disclosure of virtual routers and the claimed generalized pseudo-wires. No conclusions were reached.

Claims 1-12 are pending in the present application.

The Examiner has rejected claims 1-12 under 35 U.S.C. § 103(a) as being unpatentable over Ould-Brahim et al., "BGP/GMPLS Optical VPNs" (hereinafter "Ould-Brahim 1") in view of Ould-Brahim et al., "GVPN: Generalized Provider-provisioned Port-based VPNs using BGP and GMPLS" (hereinafter "Ould-Brahim 2"). The Applicant respectfully disagrees.

To establish that any claim is obvious, the Examiner must identify: 1) all of the claimed elements in the prior art; 2) a reason or motivation to combine these elements to arrive at the claimed invention; and 3) a reasonable likelihood of success (see M.P.E.P. 2141).

Claim 1 requires that the claimed network use a signalling mechanism "having a multi-service tunnel selector mechanism". It is submitted that neither Ould-Brahim 1 nor Ould-Brahim 2 disclose a signalling mechanism having a multi-service tunnel selector mechanism.

The multi-service tunnel selector mechanism helps to distinguish claim 1 from

Ould-Brahim 1 and Ould-Brahim 2 in that the network architecture involves a generalized provider network, rather than the GMPLS-based of the inventor's previous work. Accordingly, there is a necessity to select a tunnel across the provider network and the tunnel may be selected from among tunnels of several distinct types, with the selection of a tunnel type based on the service supported.

The tunnels in the networks disclosed in Ould-Brahim 1 and Ould-Brahim 2 are of one transport type (e.g., IP or MPLS) but the tunnels can be used by multiple services. One service will be sent through one tunnel type at given time. However, the architectures of Ould-Brahim 1 and Ould-Brahim 2 do not have what is called tunnel selector because it is assumed, in Ould-Brahim 1 and Ould-Brahim 2, that all services will use either IP or MPLS tunnels and, through provisioning, the service and type of tunnel are pre-established. In contrast, the multi-service tunnel selector mechanism may be considered to act as an automatic selection mechanism allowing for support of many types of tunnels for many services and for single service. For example, in the architecture of claim 1, traffic related to a single service can be sent across the provider network through different tunnels of distinct types, if the multi-service tunnel selector mechanism decides that more than one tunnel type can be used.

Since neither Ould-Brahim 1, nor Ould-Brahim 2, nor a combination of Ould-Brahim 1 and Ould-Brahim 2 disclose the use of a multi-service tunnel selector mechanism, the combination of Ould-Brahim 1 and Ould-Brahim 2 may not be used to reject claim 1 as obvious. It is respectfully requested that the Examiner withdraw the rejection of claim 1, and the rejection of claims 2, 3, 4, 9, 10 and 11 dependent
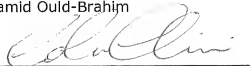
thereon, on that basis.

Claim 5 requires creation, via a multi-service tunnel selector mechanism, of connectivity between elements within a subset of elements. As discussed above, there is no motivation in either of Ould-Brahim 1 or Ould-Brahim 2 to use a multi-service tunnel selector mechanism within the VPN architecture.

Since neither Ould-Brahim 1, nor Ould-Brahim 2, nor a combination of Ould-Brahim 1 and Ould-Brahim 2 disclose a multi-service tunnel selector mechanism, the combination of Ould-Brahim 1 and Ould-Brahim 2 may not be used to reject claim 5 as obvious. It is respectfully requested that the Examiner withdraw the rejection of claim 5, and the rejection of claims 6, 7, 8 and 12 dependent thereon, on that basis.

In view of the foregoing, the applicant respectfully submits that claims 1-12 are now in condition for allowance. Favorable reconsideration and allowance of claims 1-12 are respectfully requested.

Respectfully Submitted,

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